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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION

10 UNITED STATES OF AMERICA,) No. CR-15-0003 VC
11 Plaintiff,)
12 v.)
13 CHRIS CARIGNAN,)
14 Defendant.)
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**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE MOTION
HEARING AND FOR EXCLUDING
TIME UNDER 18 U.S.C. § 3161**

16 The parties in this case stipulate to Defendant's request for additional time to file his
17 motion to suppress evidence. The reason for the request is that the defense needs more time to
18 investigate the statements contained in the warrant affidavit. The government has no opposition
19 to the defendant's request for additional time. Accordingly, Defendant moves the Court to alter
20 the briefing schedule and motion hearing date in the above captioned case as follows:
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22 Opening Motion Due: June 9, 2015

23 Response Due: July 7, 2015

24 Reply Due: July 14, 2015

25 Motion Hearing: July 21, 2015 at 1:00 PM
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27 The parties concur that granting the exclusion would allow the reasonable time necessary for
effective preparation of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that
the ends of justice served by granting such an exclusion of time up until the motion filing date for
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1 the purposes of effective preparation of counsel outweigh the best interests of the public and the
2 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The parties further agree that pursuant to
3 18 U.S.C. § 3161(h)(1)(D), time will automatically be excluded from June 9 through July 21,
4 2015 because the motion to suppress will be pending before the Court.

5 Accordingly, due to the reasons stated above, the parties jointly move to continue the date
6 that the opening brief is due on Defendant's Motion to Suppress from May 19, 2015 to June 9,
7 2015, and that the briefing schedule be ordered by the Court as stipulated above. The parties
8 further agree that it is appropriate that time be excluded from May 19, 2015 to June 9, 2015, to
9 allow for the effective preparation of counsel.

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11 SO STIPULATED:

12 MELINDA HAAG
United States Attorney

14 DATED: May 19, 2015 _____ /s/
15 _____ SHEILA ARMBRUST
16 Assistant United States Attorney

17 DATED: May 19, 2015 _____ /s/
18 ELIZABETH FALK
19 Attorney for Defendant Chris Carignan

20 [PROPOSED] ORDER

21 For the reasons stated above the Court hereby CONTINUES the due date for the opening
22 motion from May 19, 2015 to June 9, 2015. The Court further orders that the briefing schedule
23 for the motion shall be set as stipulated above. The Court further finds that the exclusion from
24 the time limits of this period applicable under 18 U.S.C. § 3161 is warranted from May 19, 2015
25 through June 9, 2015, and holds that the ends of justice served by the continuance outweigh the
26 best interests of the public and the defendant in a speedy trial. The Court further finds that
27 denying the requested exclusion of time would deprive the defendant effective preparation of
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1 counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).
2 Between June 9 and July 21, 2015, this Court concurs that time is automatically excluded to
3 allow the Court to review and rule on a pending motion. *See* 18 USC § 3161(h)(1)(D).

4 IT IS SO ORDERED.
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6 DATED: May 20, 2015

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THE HONORABLE VINCE CHHABRIA
8 United States District Judge

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